

No. 13-20-00355-CV

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IN THE COURT OF APPEALS FOR THE THIRTEENTH JUDICIAL DISTRICT OF TEXAS  
EDINBURG DIVISION

FILED IN  
13th COURT OF APPEALS  
CORPUS CHRISTI/EDINBURG, TEXAS  
11/20/2020 8:54:45 AM

KATHY S. MILLS  
Clerk

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**HIDALGO COUNTY WATER IMPROVEMENT DIST. NO. 3,**

*Appellant,*

v.

**HIDALGO COUNTY WATER IRRIGATION DIST. NO. 1,**

*Appellee.*

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ON APPEAL FROM THE COUNTY COURT-AT-LAW No. 4,  
HIDALGO COUNTY, TEXAS, THE HONORABLE FRED GARZA, JR., PRESIDING

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**APPELLANT'S UNOPPOSED FIRST  
MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF**

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TO THE HONORABLE COURT OF APPEALS:

Hidalgo County Water Improvement District No. 3, Appellant, moves for a first extension of time to file its reply brief, and in support would respectfully show:

1. Appellant's opening brief was filed without extension on September 25, 2020. Following one unopposed 10-day extension, Appellee then filed its response brief on November 5, 2020. Appellant's reply brief is currently due November 25, 2020. Appellant is seeking a 10-day extension, which will make the reply brief due on December 7, 2020 (the 10<sup>th</sup> day falls on the weekend).

2. This is Appellant's first request for an extension of time to file its reply brief, and the Court has not previously granted any extensions for the reply brief.

3. The reasons for this request are as follows. Lead appellate counsel for the Appellant is Frank Weathered. He began preparing the reply brief on November 5, 2020, the day it was received. Although Mr. Weathered has made good progress on the reply brief, however, he began experiencing severe back pain on November 14, 2020, which has continued through today's date, the date of filing this motion. This has hampered his physical ability to use his computer, which is his exclusive means of legal research and word processing. In addition, he is also working under a deadline of November 23, 2020, to prepare and file a response to petition for review in *Wulchin Land LLC v. Ellis et al*; No. 20-0464 in the Supreme Court of Texas. In addition, he will be out of the office November 26-27 for the Thanksgiving holiday. Finally, COVID continues to interfere with Mr. Weathered's law practice.

4. J. Joseph Vale, lead appellate counsel for the Appellee, has authorized Appellant to represent to the Court that Appellee is unopposed to this request.

WHEREFORE, PREMISES CONSIDERED, Appellant asks this Court to extend for 10 days the deadline for the filing of the reply brief in this appeal, making the new deadline December 7, 2020. Appellant prays for all other relief to which it may be entitled.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this filing was served on the following counsel of record via the Court's electronic filing system on November 20, 2020:

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